



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#11/2700
Noted 3/5/03
Appeal
7/29/03
4

First Named
Inventor : Pradeep K. Subrahmanyam

Appln. No.: 09/767,546

Filed : January 23, 2001

For : DISC STORAGE SYSTEM WITH
ADAPTIVE PID CONTROL

Docket No.: S01.12-0644

Group Art Unit: 2651

Examiner: Andrew L.
Snieszak

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JUL 24 2003

Technology Center 2600

I HEREBY CERTIFY THAT THIS PAPER IS
BEING SENT BY U.S. MAIL, FIRST CLASS, TO
THE COMMISSIONER FOR PATENTS, P.O.
BOX 1450, ALEXANDRIA, VA 22313-1450,
THIS

16th DAY OF JULY, 2003.

Alego
PATENT ATTORNEY

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed April 16, 2003, finally rejecting claims 19-34 and 36.

FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b) the fee for filing the Notice of Appeal is:

[x] other than a small entity	\$320.00
[] small entity	\$160.00

EXTENSION OF TIME

These proceedings are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(a) [] Applicant petitions for an extension of time under 37 C.F.R. § 1.17(a)-(d) for the total number of months

checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 410.00	\$205.00
[] three months	\$ 930.00	\$465.00
[] four months	\$1,450.00	\$725.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[] An extension for one month has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

or

(b) [x] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$320.00

Extension fee (if any) \$_____

Total Fee Due \$320.00

FEE PAYMENT

[x] A check in the amount of \$320.00 is attached.

[] Charge Deposit Account No. 23-1123, the sum of \$_.

The Director is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this

communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: *Alano*
Alan G. Rego, Reg. No. 45,956
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

DCB/AGR/djb